

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

C-CATION TECHNOLOGIES, LLC,

Plaintiff,

v.

TIME WARNER CABLE, INC., ET AL.

Defendants.

Case No. 2:14-CV-59-JRG-RSP

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to the Amended Docket Control Order (D.I. 64) and Local Patent Rule 4-3, the parties jointly submit the following claim construction and prehearing statement:

A. Agreed Constructions

| Claim Term | Agreed Construction |
|---|--|
| <i>signalling data</i> (Claims 1 and 14) | “information concerned with the control of communications” |
| <i>pair of predetermined signalling data channels</i> (Claims 1 and 4) | “a forward signaling data channel and a reverse signalling data channel determined prior to establishing communications” |
| <i>remote terminals</i> (Claims 1, 3, 4, 14) | “communication devices at a location remote from the central controller” |

B. Disputed Proposed Constructions and Supporting Evidence

A chart indicating the parties’ respective proposed constructions for each disputed claim

term, phrase, or clause, together with an identification of all intrinsic and extrinsic evidence on which the parties intend to rely is annexed hereto as Appendix A.

C. Length of Time for Claim Construction Hearing

The parties anticipate that the length of time necessary for the claim construction hearing is three hours.

D. Witnesses at Claim Construction Hearing

Plaintiff C-Cation Technologies, LLC (“C-Cation Tech”) does not believe that expert testimony on the meaning of the claim terms, phrases, or clauses at issue is necessary or would be helpful to the Court. However, because defendants have informed C-Cation Tech they plan to call Dr. Dan Schonfeld to testify, C-Cation Tech proposes to call Dr. Chris Heegard as an expert witness to testify at the claim construction hearing and/or to submit his opinions in an expert declaration in support of C-Cation Tech’s claim construction briefing. A summary of each opinion to be offered by Dr. Heegard is attached as Exhibit 1.

Defendants Time Warner Cable Inc., Time Warner Cable Enterprises LLC, Time Warner Cable Texas LLC, ARRIS Group, Inc., Cisco Systems, Inc., and Casa System, Inc. (collectively “Defendants”) believe that expert testimony regarding the indefiniteness of certain claim terms would be useful to the Court in construing the asserted claims. Defendants propose to call Dr. Dan Schonfeld as an expert witness regarding the claim terms identified by Defendants in Appendix A as being indefinite under 35 U.S.C. § 112, ¶ 2. A summary of each opinion to be offered by Dr. Schonfeld is attached as Exhibit 2.

E. Other Issues for Prehearing Conference

At present, the parties are not aware of any other issues to be addressed at a prehearing conference.

Dated: December 5, 2014

Respectfully submitted,

/s/ Sam Baxter

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system on December 5, 2014.

/s/ Sam Baxter